George Prosecutor Seeks to Drop 2 Counts

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Iran-contra prosecutors yesterday asked a federal judge for permission to drop two of the nine counts against Clair E. George, the former chief of CIA covert operations whose initial four-week trial ended with a hung jury in August.

The motion, made to U.S. District Judge Royce C. Lamberth by deputy independent counsel Craig A. Gillen, comes two weeks before the retrial of George is scheduled to start.

Elimination of the two obstruction of Congress counts is designed to "streamline the case and eliminate counts that were the least appealing to jurors" in the first trial, a source familiar with the prosecution case said.

In the first trial, jurors came within two votes of unanimously finding the former spy chief not guilty of these two counts, according to one of the jurors. Both counts charged that George directed one of his top deputies, Alan D. Fiers, former head of the CIA's Central American Task Force, to keep from congressional committees at two October 1986 hearings information he knew concerning the secret, White House-directed resupply of the Nicaraguan contra rebels.

Fiers, the chief prosecution witness against George, testified at the trial in July that even before he spoke to George, he had already withheld the information from congressional staff without any directions. That disclosure by Fiers had a strong effect on jurors, one juror said after the trial.

The prosecution motion leaves for trial four counts of false statements, two perjury counts and one count of obstructing the grand jury.

Yesterday's motion in the George case comes on the heels of a decision last week by U.S. District Judge Thomas Hogan ordering independent counsel Lawrence E. Walsh to drop a key obstruction of Congress count against former defense secretary Caspar W. Weinberger. The Weinberger trial, which is to begin Jan. 5, is expected to be the final big trial in Walsh's almost six-year-old investigation of the Iran-contra scandal.